

REMARKS/ARGUMENTS

In the Final Office Action mailed July 17, 2006, claims 1-30 stand rejected. Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Final Office Action. All the pending claims at issue are believed to be patentable over the cited references.

Claims 1, 2, 4, 6, 8-18, 22, and 27 are amended. No claims are cancelled or added. As such, claims 1-30 remain pending.

CLAIM REJECTIONS – 35 U.S.C. § 101

Claims 1-30 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner asserts that the claims allegedly appear to be claiming "software systems", which is allegedly computer program per se and allegedly, appear non-statutory. Applicants maintain that a data repository component and an application server component convey physical structure of components that store and process data, respectively. "When a computer is recited in conjunction with a physical structure, such as a **computer memory**, Office personnel should treat the claim as a product claim." MPEP § 2106(a). Thus, the Examiner's rejection is improper.

In an effort to advance prosecution, however, claims 1, 2, 4, 6, 8-18, 22, and 27 have been amended to reflect a "data repository" rather than a "data repository component" and an "application server" rather than an "application server component" in claims 1-30. Applicants assert that claims 1-30 clearly define "structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's

functionality to be realized, and is thus statutory.” MPEP § 2107(a). Thus, Applicants request that the § 101 rejection be withdrawn.

CLAIM REJECTIONS – 35 U.S.C. § 112

Claims 24 and 30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement and as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner asserts that the specification “does not disclose that the documents are technical documents.” Applicants respectfully traverse.

First, Claims 24 and 30 comply with the written description requirement as the specification discloses that the documents to be managed are technical documents. The management of technical documents is first mentioned in paragraph 3, line 3 of the specification when discussing the need for the present invention. At paragraph 11, line 13, the Background of the Invention further recites: “A limitation of existing documentation systems due to the provision of inadequate document reuse is that existing systems do not provide the ability for the creation, management and publication of technical information from a single source.” Given this disclosure, one of ordinary skill in the art would be on notice that the documents in XML may be technical documents.

Second, Claims 24 and 30 do particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As mentioned in paragraph 3, line 3 of the specification, the problems in previous methods of document management “is at least partially due to the volume of technical documentation that is used in product manufacturing, as well as the considerable volume of information that is necessary to operate and service a given product,

be it a toaster oven or an automobile.” One of ordinary skill in the art would understand that technical documents include documentation of product manufacturing, information necessary to operate and service a product such as an oven or automobile, and any other document that may be considered “technical” under the plain and ordinary meaning of the word.

Accordingly, Applicants respectfully request that the rejections under § 112 be withdrawn.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

Claims 1-18, 20, 22, 25, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,434,568 to Bowman-Amuah (hereinafter referred to as “Bowman-Amuah”). Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman-Amuah in further view of publication “Extensible Stylesheet Language (XSL), Version 1.0”; published 10/15/2001, pp. 1-14, to Alder, et al. (hereinafter referred to as “Alder”). Claims 21, 23-24, 26 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman-Amuah in further view of publication “XML for the World Wide Web: Visual Quickstart Guide”, published 10/15/2001, pp. 1-2 to Castro (hereinafter referred to as “Castro”).

The Examiner asserts that Bowman-Amuah allegedly renders obvious the media manager of the present invention that integrates at least one document into the documentation system and modifies metadata associated with the at least one document because allegedly “versioning services’ historical record is metadata that describes information changes regarding its corresponding document which the record keeping track of. (Column 54, lines 55-62)” Applicant respectfully traverses.

As the Examiner has noted, the system disclosed in Bowman-Amuah is based on versioning. The present invention discloses that “prior systems use a document-centric approach to handling information within a system.” (*See* Specification at paragraph 11). As such, the “documents are managed as simple documents” and cannot “easily reuse information contained in a document, without creating a copy of the original document, and then making a derivative work, another version of the document.” (*See Id.*) The media manager of the present invention improves over the prior art which “do not utilize the content and structure of stored information.” (*See Id.*). Accordingly, the present invention does not use this prior art system based on versioning.

One of ordinary skill in the art would understand that the modification of the metadata associated with the at least one document, as claimed in claims 1 and 14, consists of modification of metadata describing the “content and structure” of the document. As disclosed, at paragraph 37: “The media manager component 406 generates **document data and document metadata** by separating the content of the document from the **formatting and presentation** of the document. The media manager component 406 **stores the document data and document metadata** by using the data repository component 404.” Independent claims 1, 14 and 17 have been amended to further reflect these novel features of the present invention.

At least due to the current amendment, claims 1-30 are patentable over the cited references. Claims 1, 14 and 17 have been amended to include the feature of a media manager that “generates data and metadata by separating content of the at least one document from its formatting and presentation and stores the data and metadata describing the at least one document using the data repository.” These features are clearly not rendered obvious by the

Docket No. 87400.1542
Application No. 10/697,873
Customer No. 30734

Patent

versioning system disclosed by Bowman-Amuah. Castro and Alder do not cure this deficiency.

Accordingly, Applicants request that the rejections under § 103(a) be withdrawn.

DOUBLE PATENTING

Claim 1 stands provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/738,996 in view of Bowman-Amuah. Applicants respectfully submit that the provisional double patenting objection in view of Bowman-Amuah can be addressed at a later stage by terminal disclaimer if necessary.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. If it is believed that the application is not in condition for allowance, the Examiner is requested to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

Docket No. 87400.1542
Application No. 10/697,873
Customer No. 30734

Patent

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 87400.1542.

Respectfully submitted,

BAKER & HOSTETLER LLP



Bukola T. Aina
Reg. No. 56,153

Date: 1/16/07
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783